

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

MARIA DALBOTTEN,

Plaintiff,

v.

C. R. BARD, INC. and BARD
PERIPHERAL VASCULAR, INC.,

Defendants.

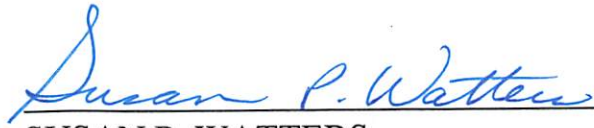
1:20-cv-00034-SPW

ORDER GRANTING PLAINTIFF
MARIA DALBOTTEN'S
UNOPPOSED MOTION TO
DETERMINE UNAVAILABILITY
OF WITNESS ROBERT O.
RITCHIE, Ph.D. UNDER FED. R.
CIV. P. 32(a)(4)

Plaintiff Maria Dalbotten moved for an order finding that her expert witness, Robert O. Ritchie, Ph.D., is unavailable for purposes of allowing his deposition to be used for any purpose under Fed. R. Civ. P. 32(a)(4) (Doc. 334). The motion is unopposed. The record reflects that Dr. Ritchie sustained serious injuries that will confine him to Singapore or California during the trial and render him unable to testify via any means. Therefore,

IT IS HEREBY ORDERED that Plaintiff's Motion (Doc. 334) is **GRANTED**. The Court finds that Dr. Ritchie is unavailable under Fed. R. Civ. P. 32(a)(4)(B), (C), (D), and (E). His deposition may be used for any purpose at trial.

DATED this 24th day of February, 2023.

A handwritten signature in blue ink, reading "Susan P. Watters", is written over a horizontal line.

SUSAN P. WATTERS

United States District Judge